

PART 192—HEALTH AND ENVIRONMENTAL PROTECTION STANDARDS FOR URANIUM AND THORIUM MILL TAILINGS

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APPENDIX I TO PART 192—LISTED CONSTITUENTS

AUTHORITY: Sec. 275 of the Atomic Energy Act of 1954, 42 U.S.C. 2022, as added by the Uranium Mill Tailings Radiation Control Act of 1978, Pub. L. 95–604, as amended.

SOURCE: 48 FR 602, Jan. 5, 1983, unless otherwise noted.

Subpart A—Standards for the Control of Residual Radioactive Materials from Inactive Uranium Processing Sites

§ 192.00 Applicability.

This subpart applies to the control of residual radioactive material at designated processing or depository sites under section 108 of the Uranium Mill Tailings Radiation Control Act of 1978 (henceforth designated “the Act”), and to restoration of such sites following any use of subsurface minerals under section 104(h) of the Act.

§ 192.01 Definitions.

(a) *Residual radioactive material* means:

(1) Waste (which the Secretary determines to be radioactive) in the form of tailings resulting from the processing of ores for the extraction of uranium and other valuable constituents of the ores; and

(2) Other wastes (which the Secretary determines to be radioactive) at a processing site which relate to such processing, including any residual stock of unprocessed ores or low-grade materials.

(b) *Remedial action* means any action performed under section 108 of the Act.

(c) *Control* means any remedial action intended to stabilize, inhibit future misuse of, or reduce emissions or effluents from residual radioactive materials.

(d) *Disposal site* means the region within the smallest perimeter of residual radioactive material (excluding cover materials) following completion of control activities.

(e) *Depository site* means a site (other than a processing site) selected under Section 104(b) or 105(b) of the Act.

(f) *Curie (Ci)* means the amount of radioactive material that produces 37 billion nuclear transformations per second. One picocurie (pCi) = 10^{-12} Ci.

(g) *Act* means the Uranium Mill Tailings Radiation Control Act of 1978, as amended.

(h) *Administrator* means the Administrator of the Environmental Protection Agency.

(i) *Secretary* means the Secretary of Energy.

(j) *Commission* means the Nuclear Regulatory Commission.

(k) *Indian tribe* means any tribe, band, clan, group, pueblo, or community of Indians recognized as eligible for services provided by the Secretary of the Interior to Indians.

(l) *Processing site* means:

(1) Any site, including the mill, designated by the Secretary under Section 102(a)(1) of the Act; and

(2) Any other real property or improvement thereon which is in the vicinity of such site, and

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is determined by the Secretary, in consultation with the Commission, to be contaminated with residual radioactive materials derived from such site.

(m) *Tailings* means the remaining portion of a metal-bearing ore after some or all of such metal, such as uranium, has been extracted.

(n) *Disposal period* means the period of time beginning March 7, 1983 and ending with the completion of all subpart A requirements specified under a plan for remedial action except those specified in § 192.03 and § 192.04.

(o) *Plan for remedial action* means a written plan (or plans) for disposal and cleanup of residual radioactive materials associated with a processing site that incorporates the results of site characterization studies, environmental assessments or impact statements, and engineering assessments so as to satisfy the requirements of subparts A and B of this part. The plan(s) shall be developed in accordance with the provisions of Section 108(a) of the Act with the concurrence of the Commission and in consultation, as appropriate, with the Indian Tribe and the Secretary of Interior.

(p) *Post-disposal period* means the period of time beginning immediately after the disposal period and ending at termination of the monitoring period established under § 192.03.

(q) *Groundwater* means water below the ground surface in a zone of saturation.

(r) *Underground source of drinking water* means an aquifer or its portion:

(1)(i) Which supplies any public water system as defined in § 141.2 of this chapter; or

(ii) Which contains a sufficient quantity of groundwater to supply a public water system; and

(A) Currently supplies drinking water for human consumption; or

(B) Contains fewer than 10,000 mg/l total dissolved solids; and

(2) Which is not an exempted aquifer as defined in § 144.7 of this chapter.

[48 FR 602, Jan. 5, 1983, as amended at 60 FR 2865, Jan. 11, 1995]

§ 192.02 Standards.

Control of residual radioactive materials and their listed constituents shall be designed¹ to:

(a) Be effective for up to one thousand years, to the extent reasonably achievable, and, in any case, for at least 200 years, and,

(b) Provide reasonable assurance that releases of radon-222 from residual radioactive material to the atmosphere will not:

(1) Exceed an average² release rate of 20 picocuries per square meter per second, or

(2) Increase the annual average concentration of radon-222 in air at or above any location outside the disposal site by more than one-half picocurie per liter.

(c) Provide reasonable assurance of conformance with the following groundwater protection provisions:

(1) The Secretary shall, on a site-specific basis, determine which of the constituents listed in Appendix I to Part 192 are present in or reasonably derived from residual radioactive materials and shall establish a monitoring program adequate to determine background levels of each such constituent in groundwater at each disposal site.

(2) The Secretary shall comply with conditions specified in a plan for remedial action which includes engineering specifications for a system of disposal designed to ensure that constituents identified under paragraph (c)(1) of this section entering the groundwater from a depository site (or a processing site, if residual radioactive materials are retained on the site) will not exceed the concentration limits established under paragraph (c)(3) of this section (or the supplemental standards established under § 192.22) in the uppermost aquifer underlying the site beyond the point of compliance established under paragraph (c)(4) of this section.

(3) Concentration limits:

(i) Concentration limits shall be determined in the groundwater for listed constituents identified under paragraph (c)(1) of this section. The concentration of a listed constituent in groundwater must not exceed:

(A) The background level of that constituent in the groundwater; or

(B) For any of the constituents listed in Table 1 to subpart A, the respective value given in that Table if the background level of the constituent is below the value given in the Table; or

(C) An alternate concentration limit established pursuant to paragraph (c)(3)(ii) of this section.

(ii)(A) The Secretary may apply an alternate concentration limit if, after considering remedial or corrective actions to achieve the levels specified in paragraphs (c)(3)(i)(A) and (B) of this section, he has determined that the constituent will not pose a substantial present or potential hazard to human health and the environment as long as the alternate

¹ Because the standard applies to design, monitoring after disposal is not required to demonstrate compliance with respect to § 192.02(a) and (b).

² This average shall apply over the entire surface of the disposal site and over at least a one-year period. Radon will come from both residual radioactive materials and from materials covering them. Radon emissions from the covering materials should be estimated as part of developing a remedial action plan for each site. The standard, however, applies only to emissions from residual radioactive materials to the atmosphere.

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concentration limit is not exceeded, and the Commission has concurred.

(B) In considering the present or potential hazard to human health and the environment of alternate concentration limits, the following factors shall be considered:

(1) Potential adverse effects on groundwater quality, considering:

(i) The physical and chemical characteristics of constituents in the residual radioactive material at the site, including their potential for migration;

(ii) The hydrogeological characteristics of the site and surrounding land;

(iii) The quantity of groundwater and the direction of groundwater flow;

(iv) The proximity and withdrawal rates of groundwater users;

(v) The current and future uses of groundwater in the region surrounding the site;

(vi) The existing quality of groundwater, including other sources of contamination and their cumulative impact on the groundwater quality;

(vii) The potential for health risks caused by human exposure to constituents;

(viii) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to constituents;

(ix) The persistence and permanence of the potential adverse effects;

(x) The presence of underground sources of drinking water and exempted aquifers identified under § 144.7 of this chapter; and

(2) Potential adverse effects on hydraulically-connected surface-water quality, considering:

(i) The volume and physical and chemical characteristics of the residual radioactive material at the site;

(ii) The hydrogeological characteristics of the site and surrounding land;

(iii) The quantity and quality of groundwater, and the direction of groundwater flow;

(iv) The patterns of rainfall in the region;

(v) The proximity of the site to surface waters;

(vi) The current and future uses of surface waters in the region surrounding the site and any water quality standards established for those surface waters;

(vii) The existing quality of surface water, including other sources of contamination and their cumulative impact on surface water quality;

(viii) The potential for health risks caused by human exposure to constituents;

(ix) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to constituents; and

(x) The persistence and permanence of the potential adverse effects.

(4) Point of compliance: The point of compliance is the location at which the groundwater con-

centration limits of paragraph (c)(3) of this section apply. The point of compliance is the intersection of a vertical plane with the uppermost aquifer underlying the site, located at the hydraulically downgradient limit of the disposal area plus the area taken up by any liner, dike, or other barrier designed to contain the residual radioactive material.

(d) Each site on which disposal occurs shall be designed and stabilized in a manner that minimizes the need for future maintenance.

[60 FR 2865, Jan. 11, 1995]

§ 192.03 Monitoring.

A groundwater monitoring plan shall be implemented, to be carried out over a period of time commencing upon completion of remedial actions taken to comply with the standards in § 192.02, and of a duration which is adequate to demonstrate that future performance of the system of disposal can reasonably be expected to be in accordance with the design requirements of § 192.02(c). This plan and the length of the monitoring period shall be modified to incorporate any corrective actions required under § 192.04 or § 192.12(c).

[60 FR 2866, Jan. 11, 1995]

§ 192.04 Corrective Action.

If the groundwater concentration limits established for disposal sites under provisions of § 192.02(c) are found or projected to be exceeded, a corrective action program shall be placed into operation as soon as is practicable, and in no event later than eighteen (18) months after a finding of exceedance. This corrective action program will restore the performance of the system of disposal to the original concentration limits established under § 192.02(c)(3), to the extent reasonably achievable, and, in any case, as a minimum shall:

(a) Conform with the groundwater provisions of § 192.02(c)(3), and

(b) Clean up groundwater in conformance with subpart B, modified as appropriate to apply to the disposal site.

[60 FR 2866, Jan. 11, 1995]

TABLE 1 TO SUBPART A.—MAXIMUM CONCENTRATION OF CONSTITUENTS FOR GROUNDWATER PROTECTION

Constituent concentration ¹	Maximum
Arsenic	0.05
Barium	1.0
Cadmium	0.01
Chromium	0.05
Lead	0.05
Mercury	0.002
Selenium	0.01

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TABLE 1 TO SUBPART A.—MAXIMUM CONCENTRATION OF CONSTITUENTS FOR GROUND-WATER PROTECTION—Continued

Constituent concentration ¹	Maximum
Silver	0.05
Nitrate (as N)	10.
Molybdenum	0.1
Combined radium-226 and radium-228	5 pCi/liter
Combined uranium-234 and uranium-238 ² .	30 pCi/liter
Gross alpha-particle activity (excluding radon and uranium).	15 pCi/liter
Endrin (1,2,3,4,10,10-hexachloro-6,7-exposy-1,4,4a,5,6,7,8,8a-octahydro-1,4-endo,endo-5,8-dimethanonaphthalene).	0.0002
Lindane (1,2,3,4,5,6-hexachlorocyclohexane, gamma isomer).	0.004
Methoxychlor (1,1,1-trichloro-2,2'-bis(p-methoxyphenylethane)).	0.1
Toxaphene (C ₁₀ H ₁₀ Cl ₆ , technical chlorinated camphene, 67–69 percent chlorine).	0.005
2,4-D (2,4-dichlorophenoxyacetic acid)	0.1
2,4,5-TP Silvex (2,4,5-trichlorophenoxypropionic acid).	0.01

¹ Milligrams per liter, unless stated otherwise.

² Where secular equilibrium obtains, this criterion will be satisfied by a concentration of 0.044 milligrams per liter (0.044 mg/l). For conditions of other than secular equilibrium, a corresponding value may be derived and applied, based on the measured site-specific ratio of the two isotopes of uranium.

[60 FR 2866, Jan. 11, 1995]

Subpart B—Standards for Cleanup of Land and Buildings Contaminated with Residual Radioactive Materials from Inactive Uranium Processing Sites

§ 192.10 Applicability.

This subpart applies to land and buildings that are part of any processing site designated by the Secretary of Energy under section 102 of the Act. section 101 of the Act, states, in part, that “processing site” means—

(a) Any site, including the mill, containing residual radioactive materials at which all or substantially all of the uranium was produced for sale to any Federal agency prior to January 1, 1971, under a contract with any Federal agency, except in the case of a site at or near Slick Rock, Colorado, unless—

(1) Such site was owned or controlled as of January 1, 1978, or is thereafter owned or controlled, by any Federal agency, or

(2) A license (issued by the (Nuclear Regulatory) Commission or its predecessor agency under the Atomic Energy Act of 1954 or by a State as permitted under section 274 of such Act) for the production at site of any uranium or thorium product derived from ores is in effect on Jan-

uary 1, 1978, or is issued or renewed after such date; and

(b) Any other real property or improvement thereon which—

(1) Is in the vicinity of such site, and

(2) Is determined by the Secretary, in consultation with the Commission, to be contaminated with residual radioactive materials derived from such site.

§ 192.11 Definitions.

(a) Unless otherwise indicated in this subpart, all terms shall have the same meaning as defined in subpart A.

(b) *Land* means any surface or subsurface land that is not part of a disposal site and is not covered by an occupiable building.

(c) *Working Level (WL)* means any combination of short-lived radon decay products in one liter of air that will result in the ultimate emission of alpha particles with a total energy of 130 billion electron volts.

(d) *Soil* means all unconsolidated materials normally found on or near the surface of the earth including, but not limited to, silts, clays, sands, gravel, and small rocks.

(e) *Limited use groundwater* means groundwater that is not a current or potential source of drinking water because (1) the concentration of total dissolved solids is in excess of 10,000 mg/l, or (2) widespread, ambient contamination not due to activities involving residual radioactive materials from a designated processing site exists that cannot be cleaned up using treatment methods reasonably employed in public water systems, or (3) the quantity of water reasonably available for sustained continuous use is less than 150 gallons per day. The parameters for determining the quantity of water reasonably available shall be determined by the Secretary with the concurrence of the Commission.

[48 FR 602, Jan. 5, 1983, as amended at 60 FR 2866, Jan. 11, 1995]

§ 192.12 Standards.

Remedial actions shall be conducted so as to provide reasonable assurance that, *as a result of residual radioactive materials from any designated processing site:*

(a) The concentration of radium-226 in land averaged over any area of 100 square meters shall not exceed the background level by more than—

(1) 5 pCi/g, averaged over the first 15 cm of soil below the surface, and

(2) 15 pCi/g, averaged over 15 cm thick layers of soil more than 15 cm below the surface.

(b) In any occupied or habitable building—

(1) The objective of remedial action shall be, and reasonable effort shall be made to achieve, an

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annual average (or equivalent) radon decay product concentration (including background) not to exceed 0.02 WL. In any case, the radon decay product concentration (including background) shall not exceed 0.03 WL, and

(2) The level of gamma radiation shall not exceed the background level by more than 20 microrentgens per hour.

(c) The Secretary shall comply with conditions specified in a plan for remedial action which provides that contamination of groundwater by listed constituents from residual radioactive material at any designated processing site (§ 192.01(1)) shall be brought into compliance as promptly as is reasonably achievable with the provisions of § 192.02(c)(3) or any supplemental standards established under § 192.22. For the purposes of this subpart:

(1) A monitoring program shall be carried out that is adequate to define backgroundwater quality and the areal extent and magnitude of groundwater contamination by listed constituents from residual radioactive materials (§ 192.02(c)(1)) and to monitor compliance with this subpart. The Secretary shall determine which of the constituents listed in Appendix I to part 192 are present in or could reasonably be derived from residual radioactive material at the site, and concentration limits shall be established in accordance with § 192.02(c)(3).

(2) (i) If the Secretary determines that sole reliance on active remedial procedures is not appropriate and that cleanup of the groundwater can be more reasonably accomplished in full or in part through natural flushing, then the period for remedial procedures may be extended. Such an extended period may extend to a term not to exceed 100 years if:

(A) The concentration limits established under this subpart are projected to be satisfied at the end of this extended period,

(B) Institutional control, having a high degree of permanence and which will effectively protect public health and the environment and satisfy beneficial uses of groundwater during the extended period and which is enforceable by the administrative or judicial branches of government entities, is instituted and maintained, as part of the remedial action, at the processing site and wherever contamination by listed constituents from residual radioactive materials is found in groundwater, or is projected to be found, and

(C) The groundwater is not currently and is not now projected to become a source for a public water system subject to provisions of the Safe Drinking Water Act during the extended period.

(ii) Remedial actions on groundwater conducted under this subpart may occur before or after actions under Section 104(f)(2) of the Act are initiated.

(3) Compliance with this subpart shall be demonstrated through the monitoring program established under paragraph (c)(1) of this section at those locations not beneath a disposal site and its cover where groundwater contains listed constituents from residual radioactive material.

[48 FR 602, Jan. 5, 1983, as amended at 60 FR 2867, Jan. 11, 1995]

Subpart C—Implementation

§ 192.20 Guidance for implementation.

Section 108 of the Act requires the Secretary of Energy to select and perform remedial actions with the concurrence of the Nuclear Regulatory Commission and the full participation of any State that pays part of the cost, and in consultation, as appropriate, with affected Indian Tribes and the Secretary of the Interior. These parties, in their respective roles under section 108, are referred to hereafter as “the implementing agencies.” The implementing agencies shall establish methods and procedures to provide “reasonable assurance” that the provisions of Subparts A and B are satisfied. This should be done as appropriate through use of analytic models and site-specific analyses, in the case of Subpart A, and for Subpart B through measurements performed within the accuracy of currently available types of field and laboratory instruments in conjunction with reasonable survey and sampling procedures. These methods and procedures may be varied to suit conditions at specific sites. In particular:

(a)(1) The purpose of Subpart A is to provide for long-term stabilization and isolation in order to inhibit misuse and spreading of residual radioactive materials, control releases of radon to air, and protect water. Subpart A may be implemented through analysis of the physical properties of the site and the control system and projection of the effects of natural processes over time. Events and processes that could significantly affect the average radon release rate from the entire disposal site should be considered. Phenomena that are localized or temporary, such as local cracking or burrowing of rodents, need to be taken into account only if their cumulative effect would be significant in determining compliance with the standard. Computational models, theories, and prevalent expert judgment may be used to decide that a control system design will satisfy the standard. The numerical range provided in the standard for the longevity of the effectiveness of the control of residual radioactive materials allows for consideration of the various factors affecting the longevity of control and stabilization methods and their costs. These factors have different levels of predictability and may vary for the different sites.

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(2) Protection of water should be considered on a case-specific basis, drawing on hydrological and geochemical surveys and all other relevant data. The hydrologic and geologic assessment to be conducted at each site should include a monitoring program sufficient to establish background groundwater quality through one or more upgradient or other appropriately located wells. The groundwater monitoring list in Appendix IX of part 264 of this chapter (plus the additional constituents in Table A of this paragraph) may be used for screening purposes in place of Appendix I of part 192 in the monitoring program. New depository sites for tailings that contain water at greater than the level of “specific retention” should use aliner or equivalent. In considering design objectives for groundwater protection, the implementing agencies should give priority to concentration levels in the order listed under § 192.02(c)(3)(i). When considering the potential for health risks caused by human exposure to known or suspected carcinogens, alternate concentration limits pursuant to paragraph 192.02(c)(3)(ii) should be established at concentration levels which represent an excess lifetime risk, at a point of exposure, to an average individual no greater than between 10^{-4} and 10^{-6} .

TABLE A TO § 192.20(a)(2)—ADDITIONAL LISTED CONSTITUENTS

Nitrate (as N)
Molybdenum
Combined radium-226 and radium-228
Combined uranium-234 and uranium-238
Gross alpha-particle activity (excluding radon and uranium)

(3) The plan for remedial action, concurred in by the Commission, will specify how applicable requirements of subpart A are to be satisfied. The plan should include the schedule and steps necessary to complete disposal operations at the site. It should include an estimate of the inventory of wastes to be disposed of in the pile and their listed constituents and address any need to eliminate free liquids; stabilization of the wastes to a bearing capacity sufficient to support the final cover; and the design and engineering specifications for a cover to manage the migration of liquids through the stabilized pile, function without maintenance, promote drainage and minimize erosion or abrasion of the cover, and accommodate settling and subsidence so that cover integrity is maintained. Evaluation of proposed designs to conform to subpart A should be based on realistic technical judgments and include use of available empirical information. The consideration of possible failure modes and related corrective actions should be limited to reasonable failure assumptions, with a demonstration

that the disposal design is generally amenable to a range of corrective actions.

(4) The groundwater monitoring list in Appendix IX of part 264 of this chapter (plus the additional constituents in Table A in paragraph (a)(2) of this section) may be used for screening purposes in place of Appendix I of part 192 in monitoring programs. The monitoring plan required under § 192.03 should be designed to include verification of site-specific assumptions used to project the performance of the disposal system. Prevention of contamination of groundwater may be assessed by indirect methods, such as measuring the migration of moisture in the various components of the cover, the tailings, and the area between the tailings and the nearest aquifer, as well as by direct monitoring of groundwater. In the case of vicinity properties (§ 192.01(l)(2)), such assessments may not be necessary, as determined by the Secretary, with the concurrence of the Commission, considering such factors as local geology and the amount of contamination present. Temporary excursions from applicable limits of groundwater concentrations that are attributable to a disposal operation itself shall not constitute a basis for considering corrective action under § 192.04 during the disposal period, unless the disposal operation is suspended prior to completion for other than seasonal reasons.

(b)(1) Compliance with § 192.12(a) and (b) of subpart B, to the extent practical, should be demonstrated through radiation surveys. Such surveys may, if appropriate, be restricted to locations likely to contain residual radioactive materials. These surveys should be designed to provide for compliance averaged over limited areas rather than point-by-point compliance with the standards. In most cases, measurement of gamma radiation exposure rates above and below the land surface can be used to show compliance with § 192.12(a). Protocols for making such measurements should be based on realistic radium distributions near the surface rather than extremes rarely encountered.

(2) In § 192.12(a), “background level” refers to the native radium concentration in soil. Since this may not be determinable in the presence of contamination by residual radioactive materials, a surrogate “background level” may be established by simple direct or indirect (e.g., gamma radiation) measurements performed nearby but outside of the contaminated location.

(3) Compliance with § 192.12(b) may be demonstrated by methods that the Department of Energy has approved for use under Pub. L. 92–314 (10 CFR part 712), or by other methods that the implementing agencies determine are adequate. Residual radioactive materials should be removed from buildings exceeding 0.03 WL so that future replacement buildings will not pose a hazard [un-

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less removal is not practical—see § 192.21(c)]. However, sealants, filtration, and ventilation devices may provide reasonable assurance of reductions from 0.03 WL to below 0.02 WL. In unusual cases, indoor radiation may exceed the levels specified in § 192.12(b) due to sources other than residual radioactive materials. Remedial actions are not required in order to comply with the standard when there is reasonable assurance that residual radioactive materials are not the cause of such an excess.

(4) The plan(s) for remedial action will specify how applicable requirements of subpart B would be satisfied. The plan should include the schedule and steps necessary to complete the cleanup of groundwater at the site. It should document the extent of contamination due to releases prior to final disposal, including the identification and location of listed constituents and the rate and direction of movement of contaminated groundwater, based upon the monitoring carried out under § 192.12(c)(1). In addition, the assessment should consider future plume movement, including an evaluation of such processes as attenuation and dilution and future contamination from beneath a disposal site. Monitoring for assessment and compliance purposes should be sufficient to establish the extent and magnitude of contamination, with reasonable assurance, through use of a carefully chosen minimal number of sampling locations. The location and number of monitoring wells, the frequency and duration of monitoring, and the selection of indicator analytes for long-term groundwater monitoring, and, more generally, the design and operation of the monitoring system, will depend on the potential for risk to receptors and upon other factors, including characteristics of the subsurface environment, such as velocity of groundwater flow, contaminant retardation, time of groundwater or contaminant transit to receptors, results of statistical evaluations of data trends, and modeling of the dynamics of the groundwater system. All of these factors should be incorporated into the design of a site-specific monitoring program that will achieve the purpose of the regulations in this subpart in the most cost-effective manner. In the case of vicinity properties (§ 192.01(l)(2)), such assessments will usually not be necessary. The Secretary, with the concurrence of the Commission, may consider such factors as local geology and amount of contamination present in determining criteria to decide when such assessments are needed. In cases where § 192.12(c)(2) is invoked, the plan should include a monitoring program sufficient to verify projections of plume movement and attenuation periodically during the extended cleanup period. Finally, the plan should specify details of the method to be used for cleanup of groundwater.

[48 FR 602, Jan. 5, 1983, as amended at 60 FR 2867, Jan. 11, 1995]

§ 192.21 Criteria for applying supplemental standards.

Unless otherwise indicated in this subpart, all terms shall have the same meaning as defined in Title I of the Act or in subparts A and B. The implementing agencies may (and in the case of paragraph (h) of this section shall) apply standards under § 192.22 in lieu of the standards of subparts A or B if they determine that any of the following circumstances exists:

(a) Remedial actions required to satisfy subpart A or B would pose a clear and present risk of injury to workers or to members of the public, notwithstanding reasonable measures to avoid or reduce risk.

(b) Remedial actions to satisfy the cleanup standards for land, § 192.12(a), and groundwater, § 192.12(c), or the acquisition of minimum materials required for control to satisfy §§ 192.02(b) and (c), would, notwithstanding reasonable measures to limit damage, directly produce health and environmental harm that is clearly excessive compared to the health and environmental benefits, now or in the future. A clear excess of health and environmental harm is harm that is long-term, manifest, and grossly disproportionate to health and environmental benefits that may reasonably be anticipated.

(c) The estimated cost of remedial action to satisfy § 192.12(a) at a “vicinity” site (described under section 101(6)(B) of the Act) is unreasonably high relative to the long-term benefits, and the residual radioactive materials do not pose a clear present or future hazard. The likelihood that buildings will be erected or that people will spend long periods of time at such a vicinity site should be considered in evaluating this hazard. Remedial action will generally not be necessary where residual radioactive materials have been placed semi-permanently in a location where site-specific factors limit their hazard and from which they are costly or difficult to remove, or where only minor quantities of residual radioactive materials are involved. Examples are residual radioactive materials under hard surface public roads and sidewalks, around public sewer lines, or in fence post foundations. Supplemental standards should not be applied at such sites, however, if individuals are likely to be exposed for long periods of time to radiation from such materials at levels above those that would prevail under § 192.12(a).

(d) The cost of a remedial action for cleanup of a building under § 192.12(b) is clearly unreasonably high relative to the benefits. Factors that should be included in this judgment are the anticipated period of occupancy, the incremental radi-

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ation level that would be affected by the remedial action, the residual useful lifetime of the building, the potential for future construction at the site, and the applicability of less costly remedial methods than removal of residual radioactive materials.

(e) There is no known remedial action.

(f) The restoration of groundwater quality at any designated processing site under § 192.12(c) is technically impracticable from an engineering perspective.

(g) The groundwater meets the criteria of § 192.11(e).

(h) Radionuclides other than radium-226 and its decay products are present in sufficient quantity and concentration to constitute a significant radiation hazard from residual radioactive materials.

[48 FR 602, Jan. 5, 1983, as amended at 60 FR 2868, Jan. 11, 1995]

§ 192.22 Supplemental standards.

Federal agencies implementing subparts A and B may in lieu thereof proceed pursuant to this section with respect to generic or individual situations meeting the eligibility requirements of § 192.21.

(a) When one or more of the criteria of § 192.21(a) through (g) applies, the Secretary shall select and perform that alternative remedial action that comes as close to meeting the otherwise applicable standard under § 192.02(c)(3) as is reasonably achievable.

(b) When § 192.21(h) applies, remedial actions shall reduce other residual radioactivity to levels that are as low as is reasonably achievable and conform to the standards of subparts A and B to the maximum extent practicable.

(c) The implementing agencies may make general determinations concerning remedial actions under this section that will apply to all locations with specified characteristics, or they may make a determination for a specific location. When remedial actions are proposed under this section for a specific location, the Department of Energy shall inform any private owners and occupants of the affected location and solicit their comments. The Department of Energy shall provide any such comments to the other implementing agencies. The Department of Energy shall also periodically inform the Environmental Protection Agency of both general and individual determinations under the provisions of this section.

(d) When § 192.21(b), (f), or (g) apply, implementing agencies shall apply any remedial actions for the restoration of contamination of groundwater by residual radioactive materials that is required to assure, at a minimum, protection of human health and the environment. In addition, when § 192.21(g) applies, supplemental standards shall ensure that current and reasonably projected uses of the affected groundwater are preserved.

[48 FR 602, Jan. 5, 1983, as amended at 60 FR 2868, Jan. 11, 1995]

§ 192.23 Effective date.

Subparts A, B, and C shall be effective March 7, 1983.

Subpart D—Standards for Management of Uranium Byproduct Materials Pursuant to Section 84 of the Atomic Energy Act of 1954, as Amended

SOURCE: 48 FR 45946, Oct. 7, 1983, unless otherwise noted.

§ 192.30 Applicability.

This subpart applies to the management of uranium byproduct materials under section 84 of the Atomic Energy Act of 1954 (henceforth designated “the Act”), as amended, during and following processing of uranium ores, and to restoration of disposal sites following any use of such sites under section 83(b)(1)(B) of the Act.

§ 192.31 Definitions and cross-references.

References in this subpart to other parts of the Code of Federal Regulations are to those parts as codified on January 1, 1983.

(a) Unless otherwise indicated in this subpart, all terms shall have the same meaning as in Title II of the Uranium Mill Tailings Radiation Control Act of 1978, subparts A and B of this part, or parts 190, 260, 261, and 264 of this chapter. For the purposes of this subpart, the terms “waste,” “hazardous waste,” and related terms, as used in parts 260, 261, and 264 of this chapter shall apply to byproduct material.

(b) *Uranium byproduct material* means the tailings or wastes produced by the extraction or concentration of uranium from any ore processed primarily for its source material content. Ore bodies depleted by uranium solution extraction operations and which remain underground do not constitute “byproduct material” for the purpose of this subpart.

(c) *Control* means any action to stabilize, inhibit future misuse of, or reduce emissions or effluents from uranium byproduct materials.

(d) *Licensed site* means the area contained within the boundary of a location under the control of persons generating or storing uranium byproduct materials under a license issued pursuant to section 84 of the Act. For purposes of this subpart, “licensed site” is equivalent to “regulated unit” in subpart F of part 264 of this chapter.

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(e) *Disposal site* means a site selected pursuant to section 83 of the Act.

(f) *Disposal area* means the region within the perimeter of an impoundment or pile containing uranium by product materials to which the post-closure requirements of § 192.32(b)(1) of this subpart apply.

(g) *Regulatory agency* means the U.S. Nuclear Regulatory Commission.

(h) *Closure period* means the period of time beginning with the cessation, with respect to a waste impoundment, of uranium ore processing operations and ending with completion of requirements specified under a closure plan.

(i) *Closure plan* means the plan required under § 264.112 of this chapter.

(j) *Existing portion* means that land surface area of an existing surface impoundment on which significant quantities of uranium byproduct materials have been placed prior to promulgation of this standard.

(k) *As expeditiously as practicable considering technological feasibility* means as quickly as possible considering: the physical characteristics of the tailings and the site; the limits of available technology; the need for consistency with mandatory requirements of other regulatory programs; and factors beyond the control of the licensee. The phrase permits consideration of the cost of compliance only to the extent specifically provided for by use of the term “available technology.”

(l) *Permanent Radon Barrier* means the final radon barrier constructed to achieve compliance with, including attainment of, the limit on releases of radon-222 in § 192.32(b)(1)(ii).

(m) *Available technology* means technologies and methods for emplacing a permanent radon barrier on uranium mill tailings piles or impoundments. This term shall not be construed to include extraordinary measures or techniques that would impose costs that are grossly excessive as measured by practice within the industry or one that is reasonably analogous, (such as, by way of illustration only, unreasonable overtime, staffing or transportation requirements, etc., considering normal practice in the industry; laser fusion, of soils, etc.), provided there is reasonable progress toward emplacement of a permanent radon barrier. To determine grossly excessive costs, the relevant baseline against which cost increases shall be compared is the cost estimate for tailings impoundment closure contained in the licensee’s tailings closure plan, but costs beyond such estimates shall not automatically be considered grossly excessive.

(n) *Tailings Closure Plan (Radon)* means the Nuclear Regulatory Commission or Agreement State approved plan detailing activities to accomplish timely emplacement of a permanent radon barrier. A tailings closure plan shall include a

schedule for key radon closure milestone activities such as wind blown tailings retrieval and placement on the pile, interim stabilization (including dewatering or the removal of freestanding liquids and recontouring), and emplacement of a permanent radon barrier constructed to achieve compliance with the 20 pCi/ m²-s flux standard as expeditiously as practicable considering technological feasibility (including factors beyond the control of the licensee).

(o) *Factors beyond the control of the licensee* means factors proximately causing delay in meeting the schedule in the applicable license for timely emplacement of the permanent radon barrier notwithstanding the good faith efforts of the licensee to achieve compliance. These factors may include, but are not limited to, physical conditions at the site; inclement weather or climatic conditions; an act of God; an act of war; a judicial or administrative order or decision, or change to the statutory, regulatory, or other legal requirements applicable to the licensee’s facility that would preclude or delay the performance of activities required for compliance; labor disturbances; any modifications, cessation or delay ordered by state, Federal or local agencies; delays beyond the time reasonably required in obtaining necessary governmental permits, licenses, approvals or consent for activities described in the tailings closure plan (radon) proposed by the licensee that result from agency failure to take final action after the licensee has made a good faith, timely effort to submit legally sufficient applications, responses to requests (including relevant data requested by the agencies), or other information, including approval of the tailings closure plan by NRC or the affected Agreement State; and an act or omission of any third party over whom the licensee has no control.

(p) *Operational* means that a uranium mill tailings pile or impoundment is being used for the continued placement of uranium byproduct material or is in standby status for such placement. A tailings pile or impoundment is operational from the day that uranium byproduct material is first placed in the pile or impoundment until the day final closure begins.

(q) *Milestone* means an enforceable date by which action, or the occurrence of an event, is required for purposes of achieving compliance with the 20 pCi/m² · s flux standard.

[48 FR 45946, Oct. 7, 1983, as amended at 58 FR 60355, Nov. 15, 1993]

§ 192.32 Standards.

(a) *Standards for application during processing operations and prior to the end of the closure period.* (1) Surface impoundments (except for an existing portion) subject to this subpart must be designed, constructed, and installed in such manner

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as to conform to the requirements of § 264.221 of this chapter, except that at sites where the annual precipitation falling on the impoundment and any drainage area contributing surface runoff to the impoundment is less than the annual evaporation from the impoundment, the requirements of § 264.228(a)(2) (iii)(E) referenced in § 264.221 do not apply.

(2) Uranium byproduct materials shall be managed so as to conform to the ground water protection standard in § 264.92 of this chapter, except that for the purposes of this subpart:

(i) To the list of hazardous constituents referenced in § 264.93 of this chapter are added the chemical elements molybdenum and uranium,

(ii) To the concentration limits provided in Table 1 of § 264.94 of this chapter are added the radioactivity limits in Table A of this subpart,

(iii) Detection monitoring programs required under § 264.98 to establish the standards required under § 264.92 shall be completed within one (1) year of promulgation,

(iv) The regulatory agency may establish alternate concentration limits (to be satisfied at the point of compliance specified under § 264.95) under the criteria of § 264.94(b), provided that, after considering practicable corrective actions, these limits are as low as reasonably achievable, and that, in any case, the standards of § 264.94(a) are satisfied at all points at a greater distance than 500 meters from the edge of the disposal area and/or outside the site boundary, and

(v) The functions and responsibilities designated in Part 264 of this chapter as those of the "Regional Administrator" with respect to "facility permits" shall be carried out by the regulatory agency, except that exemptions of hazardous constituents under § 264.93 (b) and (c) of this chapter and alternate concentration limits established under § 264.94 (b) and (c) of this chapter (except as otherwise provided in § 192.32(a)(2)(iv)) shall not be effective until EPA has concurred therein.

(3)(i) Uranium mill tailings piles or impoundments that are nonoperational and subject to a license by the Nuclear Regulatory Commission or an Agreement State shall limit releases of radon-222 by emplacing a permanent radon barrier. This permanent radon barrier shall be constructed as expeditiously as practicable considering technological feasibility (including factors beyond the control of the licensee) after the pile or impoundment ceases to be operational. Such control shall be carried out in accordance with a written tailings closure plan (radon) to be incorporated by the Nuclear Regulatory Commission or Agreement State into individual site licenses.

(ii) The Nuclear Regulatory Commission or Agreement State may approve a licensee's request to extend the time for performance of milestones

if, after providing an opportunity for public participation, the Nuclear Regulatory Commission or Agreement State finds that compliance with the 20 pCi/m²·s flux standard has been demonstrated using a method approved by the NRC, in the manner required in 192.32(a)(4)(i). Only under these circumstances and during the period of the extension must compliance with the 20 pCi/m²·s flux standard be demonstrated each year.

(iii) The Nuclear Regulatory Commission or Agreement State may extend the final compliance date for emplacement of the permanent radon barrier, or relevant milestone, based upon cost if the new date is established after a finding by the Nuclear Regulatory Commission or Agreement State, after providing an opportunity for public participation, that the licensee is making good faith efforts to emplace a permanent radon barrier; the delay is consistent with the definition of "available technology" in § 192.31(m); and the delay will not result in radon releases that are determined to result in significant incremental risk to the public health.

(iv) The Nuclear Regulatory Commission or Agreement State may, in response to a request from a licensee, authorize by license or license amendment a portion of the site to remain accessible during the closure process to accept uranium byproduct material as defined in section 11(e)(2) of the Atomic Energy Act, 42 U.S.C. 2014(e)(2), or to accept materials similar to the physical, chemical and radiological characteristics of the in situ uranium mill tailings and associated wastes, from other sources. No such authorization may be used as a means for delaying or otherwise impeding emplacement of the permanent radon barrier over the remainder of the pile or impoundment in a manner that will achieve compliance with the 20 pCi/m²·s flux standard, averaged over the entire pile or impoundment.

(v) The Nuclear Regulatory Commission or Agreement State may, in response to a request from a licensee, authorize by license or license amendment a portion of a pile or impoundment to remain accessible after emplacement of a permanent radon barrier to accept uranium byproduct material as defined in section 11(e)(2) of the Atomic Energy Act, 42 U.S.C. 2014(e)(2), if compliance with the 20 pCi/m²·s flux standard of § 192.32(b)(1)(ii) is demonstrated by the licensee's monitoring conducted in a manner consistent with § 192.32(a)(4)(i). Such authorization may be provided only if the Nuclear Regulatory Commission or Agreement State makes a finding, constituting final agency action and after providing an opportunity for public participation, that the site will continue to achieve the 20 pCi/m²·s flux standard when averaged over the entire impoundment.

(4)(i) Upon emplacement of the permanent radon barrier pursuant to 40 CFR 192.32(a)(3), the

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licensee shall conduct appropriate monitoring and analysis of the radon-222 releases to demonstrate that the design of the permanent radon barrier is effective in limiting releases of radon-222 to a level not exceeding 20 pCi/m²·s as required by 40 CFR 192.32(b)(1)(ii). This monitoring shall be conducted using the procedures described in 40 CFR part 61, Appendix B, Method 115, or any other measurement method proposed by a licensee that the Nuclear Regulatory Commission or Agreement State approves as being at least as effective as EPA Method 115 in demonstrating the effectiveness of the permanent radon barrier in achieving compliance with the 20 pCi/m²·s flux standard.

(ii) When phased emplacement of the permanent radon barrier is included in the applicable tailings closure plan (radon), then radon flux monitoring required under § 192.32(a)(4)(i) shall be conducted, however the licensee shall be allowed to conduct such monitoring for each portion of the pile or impoundment on which the radon barrier has been emplaced by conducting flux monitoring on the closed portion.

(5) Uranium byproduct materials shall be managed so as to conform to the provisions of:

(i) Part 190 of this chapter, “Environmental Radiation Protection Standards for Nuclear Power Operations” and

(ii) Part 440 of this chapter, “Ore Mining and Dressing Point Source Category: Effluent Limitations Guidelines and New Source Performance Standards, Subpart C, Uranium, Radium, and Vanadium Ores Subcategory.”

(6) The regulatory agency, in conformity with Federal Radiation Protection Guidance (FR, May 18, 1960, pgs. 4402–4403), shall make every effort to maintain radiation doses from radon emissions from surface impoundments of uranium byproduct materials as far below the Federal Radiation Protection Guides as is practicable at each licensed site.

(b) *Standards for application after the closure period.* At the end of the closure period:

(1) Disposal areas shall each comply with the closure performance standard in § 264.111 of this chapter with respect to nonradiological hazards and shall be designed¹ to provide reasonable assurance of control of radiological hazards to

(i) Be effective for one thousand years, to the extent reasonably achievable, and, in any case, for at least 200 years, and,

(ii) Limit releases of radon-222 from uranium byproduct materials to the atmosphere so as to not

¹The standard applies to design with a monitoring requirement as specified in § 192.32(a)(4).

exceed an average² release rate of 20 picocuries per square meter per second (pCi/m²s).

(2) The requirements of § 192.32(b)(1) shall not apply to any portion of a licensed and/or disposal site which contains a concentration of radium-226 in land, averaged over areas of 100 square meters, which, as a result of uranium byproduct material, does not exceed the background level by more than:

(i) 5 picocuries per gram (pCi/g), averaged over the first 15 centimeters (cm) below the surface, and

(ii) 15 pCi/g, averaged over 15 cm thick layers more than 15 cm below the surface.

[48 FR 45946, Oct. 7, 1983, as amended at 58 FR 60355–60356, Nov. 15, 1993]

§ 192.33 Corrective action programs.

If the ground water standards established under provisions of § 192.32(a)(2) are exceeded at any licensed site, a corrective action program as specified in § 264.100 of this chapter shall be put into operation as soon as is practicable, and in no event later than eighteen (18) months after a finding of exceedance.

§ 192.34 Effective date.

Subpart D shall be effective December 6, 1983.

TABLE A TO SUBPART D

	pCi/liter
Combined radium-226 and radium-228	5
Gross alpha-particle activity (excluding radon and uranium)	15

Subpart E—Standards for Management of Thorium Byproduct Materials Pursuant to Section 84 of the Atomic Energy Act of 1954, as Amended

SOURCE: 48 FR 45947, Oct. 7, 1983, unless otherwise noted.

§ 192.40 Applicability.

This subpart applies to the management of thorium byproduct materials under section 84 of the Atomic Energy Act of 1954, as amended, during and following processing of thorium ores, and to

²This average shall apply to the entire surface of each disposal area over periods of at least one year, but short compared to 100 years. Radon will come from both uranium byproduct materials and from covering materials. Radon emissions from covering materials should be estimated as part of developing a closure plan for each site. The standard, however, applies only to emissions from uranium byproduct materials to the atmosphere.

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restoration of disposal sites following any use of such sites under section 83(b)(1)(B) of the Act.

§ 192.41 Provisions.

Except as otherwise noted in § 192.41(e), the provisions of subpart D of this part, including §§ 192.31, 192.32, and 192.33, shall apply to thorium byproduct material and:

(a) Provisions applicable to the element uranium shall also apply to the element thorium;

(b) Provisions applicable to radon-222 shall also apply to radon-220; and

(c) Provisions applicable to radium-226 shall also apply to radium-228.

(d) Operations covered under § 192.32(a) shall be conducted in such a manner as to provide reasonable assurance that the annual dose equivalent does not exceed 25 millirems to the whole body, 75 millirems to the thyroid, and 25 millirems to any other organ of any member of the public as a result of exposures to the planned discharge of radioactive materials, radon-220 and its daughters excepted, to the general environment.

(e) The provisions of § 192.32(a) (3) and (4) do not apply to the management of thorium byproduct material.

[48 FR 45946, Oct. 7, 1983, as amended at 58 FR 60356, Nov. 15, 1993]

§ 192.42 Substitute provisions.

The regulatory agency may, with the concurrence of EPA, substitute for any provisions of § 192.41 of this subpart alternative provisions it deems more practical that will provide at least an equivalent level of protection for human health and the environment.

§ 192.43 Effective date.

Subpart E shall be effective December 6, 1983.

APPENDIX I TO PART 192—LISTED CONSTITUENTS

Acetonitrile
Acetophenone (Ethanone, 1-phenyl)
2-Acetylaminofluorene (Acetamide, N-9H-fluorene-2-yl-)
Acetyl chloride
1-Acetyl-2-thiourea (Acetamide, N-(aminothioxymethyl)-)
Acrolein (2-Propenal)
Acrylamide (2-Propenamide)
Acrylonitrile (2-Propenenitrile)
Aflatoxins
Aldicarb (Propenal, 2-methyl-2-(methylthio)-O-[(methylamino)carbonyl]oxime)
Aldrin (1,4:5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro(1 α ,4 α ,4a β ,5 α ,8 α ,8 α β)-)
Allyl alcohol (2-Propen-1-ol)
Allyl chloride (1-Propene, 3-chloro)
Aluminum phosphide
4-Aminobiphenyl ([1,1'-Biphenyl]-4-amine)
5-(Aminomethyl)-3-isoxazolol (3(2H)-Isoxazolone, 5-(aminomethyl)-)

4-Aminopyridine (4-Pyridineamine)
Amitrole (1H-1,2,4-Triazol-3-amine)
Ammonium vanadate (Vanadic acid, ammonium salt)
Aniline (Benzenamine)
Antimony and compounds, N.O.S.¹
Aramite (Sulfurous acid, 2-chloroethyl 2-[4-(1,1-dimethylethyl)phenoxy]-1-methylethyl ester)
Arsenic and compounds, N.O.S.
Arsenic acid (Arsenic acid H₃AsO₄)
Arsenic pentoxide (Arsenic oxide As₂O₅)
Auramine (Benzamine, 4,4'-carbonimidoylbis[N,N-dimethyl-])
Azaserine (L-Serine, diazoacetate (ester))
Barium and compounds, N.O.S.
Barium cyanide
Benz[c]acridine (3,4-Benzacridine)
Benz[a]anthracene (1,2-Benzanthracene)
Benzal chloride (Benzene, dichloromethyl-)
Benzene (Cyclohexatriene)
Benzenearsonic acid (Arsenic acid, phenyl-)
Benzidine ([1,1'-Biphenyl]-4,4'-diamine)
Benzo[b]fluoranthene (Benz[e]acephananthrylene)
Benzo[j]fluoranthene
Benzo[k]fluoranthene
Benzo[a]pyrene
p-Benzoquinone (2,5-Cyclohexadiene-1,4-dione)
Benzotrichloride (Benzene, (trichloromethyl)-)
Benzyl chloride (Benzene, (chloromethyl)-)
Beryllium and compounds, N.O.S.
Bromoacetone (2-Propanone, 1-bromo-)
Bromoform (Methane, tribromo-)
4-Bromophenyl phenyl ether (Benzene, 1-bromo-4-phenoxy-)
Brucine (Strychnidin-10-one, 2,3-dimethoxy-)
Butyl benzyl phthalate (1,2-Benzenedicarboxylic acid, butyl phenylmethyl ester)
Cacodylic acid (Arsinic acid, dimethyl)
Cadmium and compounds, N.O.S.
Calcium chromate (Chromic acid H₂CrO₄, calcium salt)
Calcium cyanide (Ca(CN)₂)
Carbon disulfide
Carbon oxyfluoride (Carbonic difluoride)
Carbon tetrachloride (Methane, tetrachloro-)
Chloral (Acetaldehyde, trichloro-)
Chlorambucil (Benzenebutanoic acid, 4-[bis(2-chloroethyl)amino]-)
Chlordane (4,7-Methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7,7a-hexahydro-)
Chlorinated benzenes, N.O.S.
Chlorinated ethane, N.O.S.
Chlorinated fluorocarbons, N.O.S.
Chlorinated naphthalene, N.O.S.
Chlorinated phenol, N.O.S.
Chloronaphazin (Naphthalenamine, N,N'-bis(2-chlorethyl)-)
Chloroacetaldehyde (Acetaldehyde, chloro-)
Chloroalkyl ethers, N.O.S.
p-Chloroaniline (Benzenamine, 4-chloro-)
Chlorobenzene (Benzene, chloro-)
Chlorobenzilate (Benzenecetic acid, 4-chloro- α -(4-chlorophenyl)- α -hydroxy-, ethyl ester)

¹ The abbreviation N.O.S. (not otherwise specified) signifies those members of the general class not specifically listed by name in this appendix.

p-Chloro-m-cresol (Phenol, 4-chloro-3-methyl)	Dichloromethyl ether (Methane, oxybis(chloro-))
2-Chloroethyl vinyl ether (Ethene, (2-chloroethoxy)-)	2,4-Dichlorophenol (Phenol, 2,4-dichloro-)
Chloroform (Methane, trichloro-)	2,6-Dichlorophenol (Phenol, 2,6-dichloro-)
Chloromethyl methyl ether (Methane, chloromethoxy-)	Dichlorophenylarsine (Arsinous dichloride, phenyl-)
β-Chloronaphthalene (Naphthalene, 2-chloro-)	Dichloropropane, N.O.S. (Propane, dichloro-)
o-Chlorophenol (Phenol, 2-chloro-)	Dichloropropanol, N.O.S. (Propanol, dichloro-)
1-(o-Chlorophenyl)thiourea (Thiourea, (2-chlorophenyl-))	Dichloropropene; N.O.S. (1-Propane, dichloro-)
3-Chloropropionitrile (Propanenitrile, 3-chloro-)	1,3-Dichloropropene (1-Propene, 1,3-dichloro-)
Chromium and compounds, N.O.S.	Dieldrin (2,7:3,6-Dimethanonaphth[2,3-b]oxirene,3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a,octahydro-(1aα,2β,2aα,3β,6β,6aα,7β,7aα)-)
Chrysene	1,2:3,4-Diepoxybutane (2,2'-Bioxirane)
Citrus red No. 2 (2-Naphthalenol, 1-[(2,5-dimethoxyphenyl)azo]-)	Diethylarsine (Arsine, diethyl-)
Coal tar creosote	1,4 Diethylene oxide (1,4-Dioxane)
Copper cyanide (CuCN)	Diethylhexyl phthalate (1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester)
Creosote	N,N-Diethylhydrazine (Hydrazine, 1,2-diethyl)
Cresol (Chresylic acid) (Phenol, methyl-)	O,O-Diethyl S-methyl dithiophosphate (Phosphorodithioic acid, O,O-diethyl S-methyl ester)
Crotonaldehyde (2-Butenal)	Diethyl-p-nitrophenyl phosphate (Phosphoric acid, diethyl 4-nitrophenyl ester)
Cyanides (soluble salts and complexes), N.O.S.	Diethyl phthalate (1,2-Benzenedicarboxylic acid, diethyl ester)
Cyanogen (Ethanedinitrile)	O,O-Diethyl O-pyrazinyl phosphorothioate (Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester)
Cyanogen bromide ((CN)Br)	Diethylstilbestrol (Phenol, 4,4'-(1,2-diethyl-1,2-ethenediyl)bis-(E)-)
Cyanogen chloride ((CN)Cl)	Dihydrosafrole (1,3-Benzodioxole, 5-propyl-)
Cycasin (beta-D-Glucopyranoside, (methyl-ONN-azoxy)methyl)	Diisopropylfluorophosphate (DFP) (Phosphorofluoridic acid, bis(1-methyl ethyl) ester)
2-Cyclohexyl-4,6-dinitrophenol (Phenol, 2-cyclohexyl-4,6-dinitro-)	Dimethoate (Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino) 2-oxoethyl] ester)
Cyclophosphamide (2H-1,3,2-Oxazaphosphorin-2-amine,N,N-bis(2-chloroethyl))	3,3'-Dimethoxybenzidine ([1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-)
tetrahydro-2-oxide)	p-Dimethylaminoazobenzene (Benzenamine, N,N-dimethyl-4-(phenylazo)-)
2,4-D and salts and esters (Acetic acid, (2,4-dichlorophenoxy)-)	7,12-Dimethylbenz[a]anthracene (Benz[a]anthracene, 7,12-dimethyl-)
Daunomycin (5,12-Naphthacenedione,8-acetyl-10-[(3-amino-2,3,6-trideoxy-α-L-lyxo-hexopyranosyl)oxy]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-(8S-cis))	3,3'-Dimethylbenzidine ([1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-)
DDD (Benzene, 1,1'-(2,2-dichloroethylidene)bis[4-chloro-])	Dimethylcarbamoyl chloride (carbamic chloride, dimethyl-)
DDE (Benzene, 1,1-(dichloroethylidene)bis[4-chloro-])	1,1-Dimethylhydrazine (Hydrazine, 1,1-dimethyl-)
DDT (Benzene, 1,1'-(2,2,2-trichloroethylidene)bis[4-chloro-])	1,2-Dimethylhydrazine (Hydrazine, 1,2-dimethyl-)
Diallate (Carbomothioic acid, bis(1-methylethyl)-,S-(2,3-dichloro-2-propenyl) ester)	α,α-Dimethylphenethylamine (Benzeneethanamine, α,α-dimethyl-)
Dibenz[a,h]acridine	2,4-Dimethylphenol (Phenol, 2,4-dimethyl-)
Dibenz[a,i]acridine	Dimethylphthalate (1,2-Benzenedicarboxylic acid, dimethyl ester)
Dibenz[a,h]anthracene	Dimethyl sulfate (Sulfuric acid, dimethyl ester)
7H-Dibenzo[c,g]carbazole	Dinitrobenzene, N.O.S. (Benzene, dinitro-)
Dibenzo[a,e]pyrene (Naphtho[1,2,4,5-def]crysene)	4,6-Dinitro-o-cresol and salts (Phenol, 2-methyl-4,6-dinitro-)
Dibenzo[a,h]pyrene (Dibenzo[b,def]crysene)	2,4-Dinitrophenol (Phenol, 2,4-dinitro-)
Dibenzo[a,i]pyrene (Benzo[rs]pentaphene)	2,4-Dinitrotoluene (Benzene, 1-methyl-2,4-dinitro-)
1,2-Dibromo-3-chloropropane (Propane, 1,2-dibromo-3-chloro-)	2,6-Dinitrotoluene (Benzene, 2-methyl-1,3-dinitro-)
Dibutylphthalate (1,2-Benzenedicarboxylic acid, dibutyl ester)	Dinoseb (Phenol, 2-(1-methylpropyl)-4,6-dinitro-)
o-Dichlorobenzene (Benzene, 1,2-dichloro-)	Di-n-octyl phthalate (1,2-Benzenedicarboxylic acid, dioctyl ester)
m-Dichlorobenzene (Benzene, 1,3-dichloro-)	1,4-Dioxane (1,4-Diethyleneoxide)
p-Dichlorobenzene (Benzene, 1,4-dichloro-)	Diphenylamine (Benzenamine, N-phenyl-)
Dichlorobenzene, N.O.S. (Benzene; dichloro-, N.O.S.)	1,2-Diphenylhydrazine (Hydrazine, 1,2-diphenyl-)
3,3'-Dichlorobenzidine ([1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-)	Di-n-propyl nitrosamine (1-Propanamine,N-nitroso-N-propyl-)
1,4-Dichloro-2-butene (2-Butene, 1,4-dichloro-)	
Dichlorodifluoromethane (Methane, dichlorodifluoro-)	
Dichloroethylene, N.O.S.	
1,1-Dichloroethylene (Ethene, 1,1-dichloro-)	
1,2-Dichloroethylene (Ethene, 1,2-dichloro-(E)-)	
Dichloroethyl ether (Ethane, 1,1'-oxybis[2-chloro-])	
Dichloroisopropyl ether (Propane, 2,2'-oxybis[2-chloro-])	
Dichloromethoxy ethane (Ethane, 1,1'-[methylenebis(oxy)bis[2-chloro-])	

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Disulfoton (Phosphorodithioic acid, O,O-diethyl S-[2-(ethylthio)ethyl] ester)
Dithiobiuret (Thioimidodicarbonic diamide [(H₂N)C(S)]₂NH)
Endosulfan (6,9,Methano-2,4,3-benzodioxathiepin,6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9ahexahydro,3-oxide)
Endothall (7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid)
Endrin and metabolites (2,7:3,6-Dimethanonaphth[2,3-b]oxirene,3,4,5,6,9,9-hexachloro1a,2,2a,3,6,6a,7,7a-octa-hydro,(1α,2β,2aβ,3α,6α,6aβ,7β,7aα)-)
Epichlorohydrin (Oxirane, (chloromethyl)-)
Epinephrine (1,2-Benzenediol,4-[1-hydroxy-2-(methylamino)ethyl]-,(R)-)
Ethyl carbamate (urethane) (Carbamic acid, ethyl ester)
Ethyl cyanide (propanenitrile)
Ethylenebisdithiocarbamic acid, salts and esters (Carbamodithioic acid, 1,2-Ethanediybis-)
Ethylene dibromide (1,2-Dibromoethane)
Ethylene dichloride (1,2-Dichloroethane)
Ethylene glycol monoethyl ether (Ethanol, 2-ethoxy-)
Ethyleneimine (Aziridine)
Ethylene oxide (Oxirane)
Ethylenethiourea (2-Imidazolidinethione)
Ethylidene dichloride (Ethane, 1,1-Dichloro-)
Ethyl methacrylate (2-Propenoic acid, 2-methyl-, ethyl ester)
Ethylmethane sulfonate (Methanesulfonic acid, ethyl ester)
Famphur (Phosphorothioic acid, O-[4-[(dimethylamino)sulphonyl]phenyl] O,O-dimethyl ester)
Fluoranthene
Fluorine
Fluoroacetamide (Acetamide, 2-fluoro-)
Fluoroacetic acid, sodium salt (Acetic acid, fluoro-, sodium salt)
Formaldehyde (Methylene oxide)
Formic acid (Methanoic acid)
Glycidylaldehyde (Oxiranecarboxyaldehyde)
Halomethane, N.O.S.
Heptachlor (4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-)
Heptachlor epoxide (α, β, and γ isomers) (2,5-Methano-2H-indeno[1,2-b]-oxirene, 2,3,4,5,6,7,7-heptachloro-1a,1b,5,5a,6,6a-hexa-hydro-(1α,1bβ,2α,5α,5aβ,6β,6aα)-)
Hexachlorobenzene (Benzene, hexachloro-)
Hexachlorobutadiene (1,3-Butadiene, 1,1,2,3,4,4-hexachloro-)
Hexachlorocyclopentadiene (1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-)
Hexachlorodibenzofurans
Heptachlorodibenzo-p-dioxins
Hexachloroethane (Ethane, hexachloro-)
Hexachlorophene (phenol, 2,2'-Methylenebis[3,4,6-trichloro-])
Hexachloropropene (1-Propene, 1,1,2,3,3,3-hexachloro-)
Hexaethyl tetraphosphate (Tetraphosphoric acid, hexaethyl ester)
Hydrazine
Hydrocyanic acid
Hydrofluoric acid
Hydrogen sulfide (H₂S)
Indeno(1,2,3-cd)pyrene
Isobutyl alcohol (1-Propanol, 2-methyl-)
Isodrin (1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro, (1α,4α,4aβ,5β,8β,8aβ)-)
Isosafrole (1,3-Benzodioxole, 5-(1-propenyl)-)
Kepone (1,3,4-Metheno-2H-cyclobuta[cd]pentalen-2-one, 1,1a,3,3a,4,5,5,5a,5b,6-decachlorooctahydro-)
Lasiocarpine (2-Butenoic acid, 2-methyl-,7-[[2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy]methyl]-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester)
Lead and compounds, N.O.S.
Lead acetate (Acetic acid, lead(2+) salt)
Lead phosphate (Phosphoric acid, lead(2+) salt(2:3))
Lead subacetate (Lead, bis(acetato-O)tetrahydroxytri-)
Lindane (Clohexane, 1,2,3,4,5,6-hexachloro-, (1α,2α,3β,4α,5α,6β)-)
Maleic anhydride (2,5-Furandione)
Maleic hydrazide (3,6-Pyridazinedione, 1,2-dihydro-)
Malononitrile (Propanedinitrile)
Melphalan (L-Phenylalanine, 4-[bis(2-chloroethyl)aminol]-)
Mercury and compounds, N.O.S.
Mercury fulminate (Fulminic acid, mercury(2+) salt)
Methacrylonitrile (2-Propenenitrile, 2-methyl-)
Methapyrilene (1,2-Ethanediamine, N,N-dimethyl-N'-2-pyridinyl-N'-(2-thienylmethyl)-)
Metholmyl (Ethamidithioic acid, N-[(methylamino)carbonyl]oxy]thio-, methyl ester)
Methoxychlor (Benzene, 1,1'-(2,2,2-trichloroethylidene)bis[4-methoxy-])
Methyl bromide (Methane, bromo-)
Methyl chloride (Methane, chloro-)
Methyl chlorocarbonate (Carbonchloridic acid, methyl ester)
Methyl chloroform (Ethane, 1,1,1-trichloro-)
3-Methylcholanthrene (Benz[j]aceanthrylene, 1,2-dihydro-3-methyl-)
4,4'-Methylenebis(2-chloroaniline) (Benzenamine, 4,4'-methylenebis(2-chloro-))
Methylene bromide (Methane, dibromo-)
Methylene chloride (Methane, dichloro-)
Methyl ethyl ketone (MEK) (2-Butanone)
Methyl ethyl ketone peroxide (2-Butanone, peroxide)
Methyl hydrazine (Hydrazine, methyl-)
Methyl iodide (Methane, iodo-)
Methyl isocyanate (Methane, isocyanato-)
2-Methylallactonitrile (Propanenitrile, 2-hydroxy-2-methyl-)
Methyl methacrylate (2-Propenoic acid, 2-methyl-, methyl ester)
Methyl methanesulfonate (Methanesulfonic acid, methyl ester)
Methyl parathion (Phosphorothioic acid, O,O-dimethyl O-(4-nitrophenyl) ester)
Methylthiouracil (4(1H)Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-)
Mitomycin C (Azirino[2',3':3,4]pyrrolo[1,2-a]indole-4,7-dione,6-amino-8-[(aminocarbonyl)oxy]methyl]-1,1a,2,8,8a,8b-hexahydro-8a-methoxy-5-methyl-, [1aS-(1α,8β,8aα,8bα)-])
MNNG (Guanidine, N-methyl-N'-nitro-N-nitroso-)
Mustard gas (Ethane, 1,1'-thiobis[2-chloro-])
Naphthalene
1,4-Naphthoquinone (1,4-Naphthalenedione)
α-Naphthalenamine (1-Naphthylamine)
β-Naphthalenamine (2-Naphthylamine)
α-Naphthylthiourea (Thiourea, 1-naphthalenyl-)

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Nickel and compounds, N.O.S.	Polychlorinated biphenyls, N.O.S.
Nickel carbonyl (Ni(CO) ₄ (T-4)-)	Potassium cyanide (K(CN))
Nickel cyanide (Ni(CN) ₂)	Potassium silver cyanide (Argentate(I)-, bis(cyano-C)-, potassium)
Nicotine and salts (Pyridine, 3-(1-methyl-2-pyrrolidinyl)-, (S)-)	Pronamide (Benzamide, 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-)
Nitric oxide (Nitrogen oxide NO)	1,3-Propane sultone (1,2-Oxathiolane, 2,2-dioxide)
p-Nitroaniline (Benzenamine, 4-nitro-)	n-Propylamine (1-Propanamine)
Nitrobenzene (Benzene, nitro-)	Propargyl alcohol (2-Propyn-1-ol)
Nitrogen dioxide (Nitrogen oxide NO ₂)	Propylene dichloride (Propane, 1,2-dichloro-)
Nitrogen mustard, and hydrochloride salt (Ethanamine, 2-chloro-N-(2-chloroethyl)-N-methyl-)	1,2-Propylenimine (Aziridine, 2-methyl-)
Nitrogen mustard N-oxide and hydrochloride salt (Ethanamine, 2-chloro-N-(2-chloroethyl)-N-methyl-, N-oxide)	Propylthiouracil (4(1H)-Pyrimidinone, 2,3-dihydro-6-propyl-2-thioxo-)
Nitroglycerin (1,2,3-Propanetriol, trinitrate)	Pyridine
p-Nitrophenol (Phenol, 4-nitro-)	Reserpine (Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[(3,4,5-trimethoxybenzoyl)oxy]-smethyl ester, (3β,16 β,17α,18β,20α)-)
2-Nitropropane (Propane, 2-nitro-)	Resorcinol (1,3-Benzenediol)
Nitrosamines, N.O.S.	Saccharin and salts (1,2-Benzisothiazol-3(2H)-one, 1,1-dioxide)
N-Nitrosodi-n-butylamine (l-Butanamine, N-butyl-N-nitroso-)	Safrrole (1,3-Benzodioxole, 5-(2-propenyl)-)
N-Nitrosodiethanolamine (Ethanol, 2,2'-(nitrosoimino)bis-)	Selenium and compounds, N.O.S.
N-Nitrosodiethylamine (Ethanamine, N-ethyl-N-nitroso-1)	Selenium dioxide (Selenious acid)
N-Nitrosodimethylamine (Methanamine, N-methyl-N-nitroso-)	Selenium sulfide (SeS ₂)
N-Nitroso-N-ethylurea (Urea, N-ethyl-N-nitroso-)	Selenourea
N-Nitrosomethylethylamine (Ethanamine, N-methyl-N-nitroso-)	Silver and compounds, N.O.S.
N-Nitroso-N-methylurea (Urea, N-methyl-N-nitroso-)	Silver cyanide (Silver cyanide Ag(CN))
N-Nitroso-N-methylurethane (Carbamic acid, methylnitroso-, ethyl ester)	Silvex (Propanoic acid, 2-(2,4,5-trichlorophen oxy)-)
N-Nitrosomethylvinylamine (Vinylamine, N-methyl-N-nitroso-)	Sodium cyanide (Sodium cyanide Na(CN))
N-Nitrosomorpholine (Morpholine, 4-nitroso-)	Streptozotocin (D-Glucose, 2-deoxy-2-[[methylnitrosoamino]carbonyl]amino)-)
N-Nitrosornicotine (Pyridine, 3-(1-nitroso-2-pyrrolidinyl)-, (S)-)	Strychnine and salts (Strychnidin-10-one)
N-Nitrosopiperidine (Piperidine, 1-nitroso-)	TCDD (Dibenzo[b,e][1,4]dioxin, 2,3,7,8-tetrachloro-)
Nitrosopyrrolidine (Pyrrolidine, 1-nitroso-)	1,2,4,5-Tetrachlorobenzene (Benzene, 1,2,4,5-tetrachloro-)
N-Nitrososarcosine (Glycine, N-methyl-N-nitroso-)	Tetrachlorodibenzo-p-dioxins
5-Nitro-o-toluidine (Benzenamine, 2-methyl-5-nitro-)	Tetrachlorodibenzofurans
Octamethylpyrophosphoramide (Diphosphoramide, octamethyl-)	Tetrachloroethane, N.O.S. (Ethane, tetrachloro-, N.O.S.)
Osmium tetroxide (Osmium oxide OsO ₄ , (T-4)-)	1,1,1,2-Tetrachloroethane (Ethane, 1,1,1,2-tetrachloro-)
Paraldehyde (1,3,5-Trioxane, 2,4,6-trimethyl-)	1,1,2,2-Tetrachloroethane (Ethane, 1,1,2,2-tetrachloro-)
Parathion (Phosphorothioic acid, O,O-diethyl O-(4-nitrophenyl) ester)	Tetrachloroethylene (Ethene, tetrachloro-)
Pentachlorobenzene (Benzene, pentachloro-)	2,3,4,6-Tetrachlorophenol (Phenol, 2,3,4,6-tetrachloro-)
Pentachlorodibenzo-p-dioxins	Tetraethyldithiopyrophosphate (Thiodiphosphoric acid, tetraethyl ester)
Pentachlorodibenzofurans	Tetraethyl lead (Plumbane, tetraethyl-)
Pentachloroethane (Ethane, pentachloro-)	Tetraethyl pyrophosphate (Diphosphoric acid, tetraethyl ester)
Pentachloronitrobenzene (PCNB) (Benzene, pentachloronitro-)	Tetranitromethane (Methane, tetranitro-)
Pentachlorophenol (Phenol, pentachloro-)	Thallium and compounds, N.O.S.
Phenacetin (Acetamide, N-(4-ethoxyphenyl)-)	Thallic oxide (Thallium oxide Tl ₂ O ₃)
Phenol	Thallium (I) acetate (Acetic acid, thallium (1+) salt)
Phenylenediamine (Benzenediamine)	Thallium (I) carbonate (Carbonic acid, dithallium (1+) salt)
Phenylmercury acetate (Mercury, (acetato-O)phenyl-)	Thallium (I) chloride (Thallium chloride TlCl)
Phenylthiourea (Thiourea, phenyl-)	Thallium (I) nitrate (Nitric acid, thallium (1+) salt)
Phosgene (Carbonic dichloride)	Thallium selenite (Selenious acid, dithallium (1+) salt)
Phosphine	Thallium (I) sulfate (Sulfuric acid, thallium (1+) salt)
Phorate (Phosphorodithioic acid, O,O-diethyl S-[[ethylthiomethyl] ester)	Thioacetamide (Ethanethioamide)
Phthalic acid esters, N.O.S.	3,Thiofanox (2-Butanone, 3,3-dimethyl-1-(methylthio)-, O-[(methylamino)carbonyl] oxime)
Phthalic anhydride (1,3-isobenzofurandione)	Thiomethanol (Methanethiol)
2-Picoline (Pyridine, 2-methyl-)	Thiophenol (Benzenethiol)
	Thiosemicarbazide (Hydrazinecarbothioamide)
	Thiourea
	Thiram (Thioperoxydicarbonic diamide [(H ₂ N)C(S)] ₂ S ₂ , tetramethyl-)

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Toluene (Benzene, methyl-)	1,2,3-Trichloropropane (Propane, 1,2,3-trichloro-)
Toluenediamine (Benzenediamine, ar-methyl-)	O,O,O-Triethyl phosphorothioate (Phosphorothioic acid, O,O,O-triethyl ester)
Toluene-2,4-diamine (1,3-Benzenediamine, 4-methyl-)	Trinitrobenzene (Benzene, 1,3,5-trinitro-)
Toluene-2,6-diamine (1,3-Benzenediamine, 2-methyl-)	Tris(1-aziridinyl)phosphine sulfide (Aziridine, 1,1',1''phosphinothioylidynetris-))
Toluene-3,4-diamine (1,2-Benzenediamine, 4-methyl-)	Tris(2,3-dibromopropyl) phosphate (1-Propanol, 2,3-dibromo-, phosphate (3:1))
Toluene diisocyanate (Benzene, 1,3-diisocyanatomethyl-)	Trypan blue (2,7-Naphthalendisulfonic acid, 3,3'-[(3,3'-dimethyl[1,1'-biphenyl]-4,4'-diyl)bis(azo)]bis(5-amino-4-hydroxy-, tetrasodium salt)
o-Toluidine (Benzenamine, 2-methyl-)	Uracil mustard (2,4-(1H,3H)-Pyrimidinedione, 5-[bis(2-chloroethyl)amino]-)
o-Toluidine hydrochloride (Benzenamine, 2-methyl-, hydrochloride)	Vanadium pentoxide (Vanadium oxide V ₂ O ₅)
p-Toluidine (Benzenamine, 4-methyl-)	Vinyl chloride (Ethene, chloro-)
Toxaphene	Wayfarin (2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-)
1,2,4-Trichlorobenzene (Benzene, 1,2,4-trichloro-)	Zinc cyanide (Zn(CN) ₂)
1,1,2-Trichloroethane (Ethane, 1,1,2-trichloro-)	Zinc phosphide (Zn ₃ P ₂)
Trichloroethylene (Ethene, trichloro-)	
Trichloromethanethiol (Methanethiol, trichloro-)	
Trichloromono fluoromethane (Methane, trichlorofluoro-)	
2,4,5-Trichlorophenol (Phenol, 2,4,5-trichloro-)	
2,4,6-Trichlorophenol (Phenol, 2,4,6-trichloro-)	
2,4,5-T (Acetic acid, 2,4,5- trichloro-phenoxy-)	
Trichloropropane, N.O.S.	[60 FR 2868, Jan. 11, 1995]